

Healthy Start Scheme - Privacy Notice

Data Controller Name: **Health Improvement Policy Branch, Department of Health, Northern Ireland**

Address: **Room D3, Castle Buildings, Stormont Estate, BT4 3SQ**

Telephone: 02890 522267

Email: healthystart@health-ni.gov.uk

Data Protection Officer: Charlene Maher

Email: DPO@health-ni.gov.uk

Why are you processing my personal information and lawful basis for processing?

- We process your personal data if you apply to the Healthy Start Scheme.
- Healthy Start is a statutory scheme which provides additional support to improve the diets of lower income pregnant women and families with children under four years old, as established via The Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006, with similar UK legislation in place for England and Wales.
- Under Section 28 of the Northern Ireland Act 1998 the Department of Health (DoH) has established an agency agreement with NHS Business Services Authority (NHSBSA) to deliver the Healthy Start Scheme for citizens in Northern Ireland (NI).
- NHSBSA will deliver the operational elements of this Scheme to applicants and claimants in NI, while DoH will retain policy and legislative responsibility for the scheme in NI.
- This arrangement will involve NHSBSA receiving applications from claimants and delivering access to the scheme for those eligible in NI by issuing a digital card that enables claimants to purchase items as part of the scheme.
- Both the NHSBSA and the DoH will act as data controllers for their role in administering the scheme and this is set out under an Agency Agreement and SLA, which has been signed off by the DoH Personal Data Guardian.
- NHSBSA also provide privacy information, explaining what they do with the personal data they hold in administering the scheme, which you can read here: <https://www.nhsbsa.nhs.uk/our-policies/privacy/healthy-start-privacy-notice>
- The common law duty of confidentiality specifies that when someone shares personal information in confidence it must not be disclosed without consent, some form of legal authority or justification. Applicants to the Scheme agree for their data, as provided by them, to be processed in support of their application.

- The DoH will retain responsibility for administering the distribution of vitamins as part of the scheme, which the HSC Business Service Organisation (BSO) will deliver on behalf of the DoH. This is additional processing that is only carried out when an eligible beneficiary contacts NHSBSA to request vitamins. BSO will act as a processor on behalf of the DoH in this regard and will process personal data, received from NHSBSA as part of the arrangements for the Scheme, regarding eligible applications for vitamins by NI residents. DoH has an appropriate Controller-Processor agreement in place with BSO.
- All personal data processed in relation to the Scheme will be collected and managed by NHSBSA. BSO will receive and process some personal data relating to the Vitamins element of the scheme. The only personal data DoH may receive will be in relation to any complaints or issues raised by an individual in relation to the delivery of Vitamins in NI, which needs to be investigated by the DoH.
- The sharing of this information is proportionate and complies with Article 8 of the Human Rights Act 1998 as the data shared will be the minimum required for the purposes.
- BSO will only receive the personal data necessary to enable them to dispatch vitamins to applicants.
- The processing of personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller pursuant to article 6 (1) (e) of the UK GDPR.
- The Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006 are made using powers under section 13 of the Social Security (Northern Ireland) Order 1988. Processing is required to assess and respond to claims for assistance pursuant to section 13(4) of the Social Security Act 1988 and also 13(3) of the Social Security (Northern Ireland) Order 1988.
- The processing of special category data is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law pursuant to article 9 (2) (b) and for the provision of health or social care or treatment or the management of health and social care systems, pursuant to article 9 (2) (h) UK GDPR; DPA 2018 Schedule 1, Part 1, 2(2)(e) (provision of social care) applies to the processing of special category data. It is essential to process special category data as eligibility for the Healthy Start Scheme is derived from an applicant being pregnant or having a child(ren) under four years of age whilst being in receipt of qualifying benefits.

What categories of personal data are you processing?

- For the personal data NHSBSA may process in relation to Healthy Start applications please see their Privacy Notice.
- BSO will be asked to process the following information for vitamins applications:
 - Full Name
 - Full Address

While special category data, as categorised within UK GDPR, is not directly being processed, some special category health data may be inferred, as pregnancy is one of the criteria for eligibility for the Healthy Start Scheme.

- Should NHSBSA receive any complaints from applicants in NI regarding delivery of the vitamins scheme, the above information will also be shared with the DoH, along with the complaint, in order that complaints can be investigated and resolved.

Where do you get my personal data from?

- The information is obtained from individuals directly when they apply for the Healthy Start Scheme. The NHSBSA will handle all the personal data received through the applications for the Healthy Start Scheme in the first instance.
- NHSBSA then send the BSO only the required information from NI applications to facilitate delivery of the Vitamins which are available under the Healthy Start Scheme.
- DoH may receive personal information from NHSBSA and/or BSO in relation to any complaint regarding the delivery of the Healthy Start Vitamins in NI.

Do you share my personal data with anyone else?

Your data is not shared with other organisations as part of delivery of the Healthy Start Scheme. If your data is required to be shared with another organisation for another purpose, this will only be done in compliance with UK Data Protection Legislation.

Do you transfer my personal data to other countries?

- Your data will not be transferred outside of the UK.

How long do you keep my personal data?

- DoH will only retain your data for as long as necessary to effectively deal with any complaint about the Healthy Start Vitamin delivery in NI and in line with our Retention and Disposal Schedule as set out in '[Good Management Good Records](#)'.
- The personal data shared with BSO will be retained for no longer than a period of 8 weeks from the date the data was received by BSO.

(If you use automated decision making or profiling) How do you use my personal data to make decisions about me?

- Non applicable.

What rights do I have?

Under data protection law, you have rights including:

- **Your right to be informed** - You have the right to be informed about how we process your personal data. This information is covered in this privacy notice and the privacy notice provided by the NHSBSA.
- **Your right of access** - You have the right to ask us for copies of your personal information. Information about you is likely to be held by NHSBSA and in the first instance you should use the information in their Privacy Notice to contact them for access to your information.
- **Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. As NHSBSA will be the Controller responsible for collecting and processing your data, you should contact NHSBSA to request rectification of incorrect data. They will then inform BSO (and DoH where necessary) of any required updates to your information.
- **Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances. As NHSBSA will be the Controller responsible for collecting and processing your data, you should contact NHSBSA to request erasure of your data. If it is agreed that your data is to be erased, they will then inform BSO (and DoH where necessary) of any required disposal of information held by BSO.
- **Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances. As NHSBSA will be the Controller responsible for collecting and processing your data, you should contact NHSBSA to request restriction of processing your data. They will then inform BSO (and DoH where necessary) of any restriction requirements placed on the data they hold.
- **Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances. As NHSBSA will be the Controller responsible for collecting and processing your data, you should contact NHSBSA if you wish to object to processing.

NHSBSA will then contact BSO and the DoH as required.

- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances. As NHSBSA will be the Controller responsible for collecting and processing your data, you should contact NHSBSA in relation to data portability requests in the first instance.
- If you want more detailed information on these rights, this can be found on the ICO website, at: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

How do I complain if I am not happy?

- If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact *DoH Data Protection Officer* at: DPO@health-ni.gov.uk
- If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>